



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/690,562

10/23/2003

Masahiro Ohashi

2003-1503A

6448

513 7590 10/01/2007
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

10/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/690,562

Applicant(s)

OHASHI, MASAHIRO

Examiner

Andy S. Rao

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/27/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. As per the Applicant's instructions filed on 6/27/07, claims 1-2 have been canceled.
2. Applicant's arguments filed with respect to amended claims 3-6 as filed on 6/27/07 have been fully considered but they are not persuasive.
3. The Applicants present three arguments contending the Examiner's rejection of previously presented claims 1-6 under 35 U.S.C. 102(b) as being anticipated by Akerib, as was set forth in the Office Action of 2/28/07, said arguments being presented support of now amended claims 3-6. However, after a careful consideration of the arguments presented, and additional scrutiny of the applied reference, the Examiner must respectfully disagree, and maintain the applicability of the Akerib reference as the basis of the grounds of rejection addressing the amended claims.

After summarizing the salient features of amended claim 3 (Amendment of 6/27/07: page 6, lines 14-23), the Applicants argue that Akerib fails to address the "separated image having a predetermined width..." as in the claims (Amendment of 6/27/07: page 6, lines 24-31; page 7, lines 1-6). The Examiner respectfully disagrees. It is noted that Akerib discloses that the image data is processed for color space transformation (Akerib: column 16, lines 25-60). Accordingly, since the image data is parsed for Y, U, V transformation, the separated image data is formed by several pieces of image data (i.e. the luminance and two chrominance values), and furthermore, since image data is filtered according to known CIF or QCIF resolutions, this reads on the "having a predetermined width and being separated from lines of image data" limitation in

Art Unit: 2621

accordance the array architecture (Akerib: column 20, lines 20-67) Accordingly, the Examiner maintains that the limitation is met.

Secondly, the Applicants argue that the reference fails to read upon the “targeted filtering” as in the amended claims (Amendment of 6/27/07: page 7, lines 7-15). The Examiner respectfully disagrees. It is noted that Akerib clearly discloses inputting according to two modes (Akerib: column 21, lines 30-40). The image I/O mode of the reference corresponds to the feeding of non-filtered pixel data as in the instant invention, while the image exchange mode corresponds directly the outputting of filtered data. Accordingly, the Examiner maintains that this limitation is met as well.

Lastly, the Applicants argue that the reference fails to read upon the “setting of a mode signal...” as in the claims (Amendment of 6.27/07: page 7, lines 6-31; page 8, lines 1-2). The Examiner respectfully disagrees. It is duly noted that correct citation for this feature was not correctly furnished to applicants, and the Examiner apologizes for the confusion caused by directing the Applicant’s attention to the list of cited references (Akerib: column 2, lines 35-45), instead of the intended citation (Akerib: column 22, lines 35-45). It is noted that the destination bits associated wit the FIFO matrix are the mode signals controlling how the targeted filtering is implemented. Accordingly, the Examiner maintains that this last limitation is met as well.

A detailed rejection addressing the amended claims follows below.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2621

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 3-6 (amended) remain rejected under 35 U.S.C. 102(b) as being anticipated by Akerib.

Akerib discloses an image processor (Akerib: figure 3), comprising: a first storage unit operable to store separated image data (Akerib: column 16, lines 30-40: Y, U, V data) formed by several pieces of pixel data (Akerib: column 14, lines 1-3), the image data having a predetermined width (Akerib: column 20, lines 30-67) being separated from several lines of image data (Akerib: column 15, lines 40-50); a data readout unit operable to sequentially read out the several pieces of pixel data stored by said first storage unit (Akerib: column 21, lines 40-50), thereby outputting filtered pixel data and non-filtered pixel data (Akerib: column 21, lines 30-40: pixel data in image exchange mode and pixel data in input/output mode); a filtering unit operable to filter target pixel data subject to filtering using predetermined pieces of the pixel data that are read out from said data readout unit (Akerib: column 35, lines 40-52); a setting unit (Akerib: column 14, lines 35-45) operable to set a mode signal indicating whether or not the non-filtered data is to be fed (Akerib: column 22, lines 35-45: destination bits of the FIFO MATRIX); and a data output control unit operable to control the feeding of the non-filtered pixel data according to the mode signal (Akerib: column 14, lines 50-67), wherein said first storage unit has a same width as the predetermined width (Akerib: column 20, lines 30-67: CAM of the APE), as in claim 3.

Regarding claim 4, Akerib discloses that mode signal divides the non-filtered pixel data into first non-filtered pixel to be fed (Akerib: column 16, lines 30-40: Y,U,V data samples to be

Art Unit: 2621

deleted as a part of sub-sampling), and second non-filtered pixel data to non be fed (Akerib: column 22, lines 35-45), as in the claim.

Regarding claim 5, Akerib discloses a data output control unit operable to feed the filtered pixel data and the non-filtered pixel data (Akerib: column 22, lines 35-45) to a timing generated by a countdown from an initiate value (Akerib: column 42, lines 10-42; column 32, lines 64-67; column 33, lines 1-5), as in the claim.

Regarding claim 6, Akerib discloses wherein said filtering unit comprises an image data-retaining unit operable to retain a number of pieces of pixel data for use at the time of next filtering (Akerib: column 24, lines 20-45), the number of pieces of image data to be used in the next filtering operation being selected from among the several pieces of pixel data read out by said data readout unit from said first storage unit (Akerib: column 62, lines 50-60), as in the claim.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2621

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

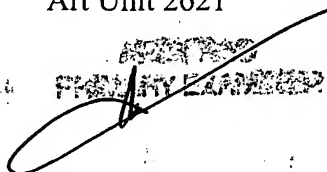
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andy S. Rao
Primary Examiner
Art Unit 2621

asr
September 27, 2007


RECEIVED
SEP 27 2007
FBI/DOJ